



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

FEB 17 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

The Honorable Jan Hill
Mayor of Haines
P.O. Box 1209
Haines, Alaska 99827

Re: Municipality of Haines Wastewater Treatment Facility
NPDES Permit Number AK-002138-5

Dear Mayor Hill:

On December 24, 2001, the U.S. Environmental Protection Agency (EPA) issued a National Pollutant Discharge Elimination System (NPDES) Permit to the Municipality of Haines, Alaska (City) wastewater treatment facility (Facility), NPDES Permit Number AK-002138-5 (Permit). The purpose of this letter is to notify you of violations EPA discovered after reviewing our administrative files including the Discharge Monitoring Reports (DMRs) submitted by the City and in response to an inspection of the Facility conducted by EPA on August 27, 2015. The purpose of this inspection was to determine the City's compliance with the requirements of the Clean Water Act (CWA) and the NPDES Permit. I would like to express my appreciation for your staff's time and cooperation during the inspection.

REVIEW OF ADMINISTRATIVE FILES

1. EPA reviewed the DMRs from December 2010 to December 2015 and identified effluent limitation exceedances that constitute 30 violations of the CWA, 33 U.S.C. § 1251 *et seq.* A list of these violations is enclosed (Enclosure A).
2. Part I.B.2 of the Permit specifies that a report summarizing the results for Receiving Water Quality Monitoring Requirements (Part B.4.) and Biological Monitoring (Part B.5.) must be submitted to EPA Region 10 by December 31 of each year in which samples are collected. In addition, the reports shall explain how the objectives cited in Part B.1 have been met.

During an EPA file review, it was identified that the annual reports for 2011 and 2013 were submitted late. These are violations of Part I.B.2 of the Permit.

3. On December 21, 2015, the NPDES Electronic Reporting Rule became effective. Permittees with a DMR requirement will have one year from this date to submit DMRs through NetDMR. Additional information is enclosed (Enclosure B).

AUGUST 2015 INSPECTION

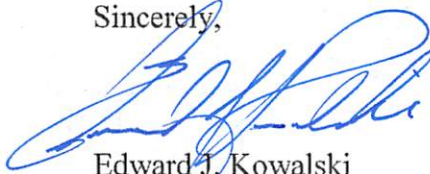
Part I.B.4.c of the Permit specifies that the annual report of the data collected in this section shall note any observed surfacing of the effluent plume in a visible boil, the presence of floatable material, or any surface film, sheen, or discoloration; include a narrative description of the sampling procedures and locations; include a map of the sampled locations that also shows the outfall and Zone of Initial Dilution (ZID); and include a copy of all data collected during each sampling period.

At the time of the inspection, the inspector reviewed annual reports for the past 5-years and noted that none of the reports included a map of the sampling locations or the outfall and ZID. These are violations of Part I.B.4.c of the Permit.

Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to take appropriate measures to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

I have enclosed a copy of the inspection report (Enclosure C). If you have any questions concerning this matter, please call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski
Director

Enclosures

cc: Mike Solter
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